

## MANSFIELD TOWNSHIP COMMITTEE MEETING

October 25, 2017

This is a regular meeting of the Mansfield Township Committee. The notice requirements of the law have been satisfied for this meeting by notice to the Star Gazette and Express Times of the time, date and location thereof. Notice was also posted on the announcement board located in the Municipal Building.

Roll Call: Mr. Misertino, Mr. Hayes, Mrs. Mora Dillon, Mrs. Kocher, Mayor Watters

Salute to the flag was done by all.

Mayor Watters read a statement apologizing for his inappropriate comment made at the July meeting regarding the acceptance of Green Acres money from the State of NJ.

### APPROVAL OF THE MINUTES:

Mr. Hayes made a motion to approve the minutes as is from the October 11, 2017, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mrs. Mora Dillon, Mrs. Kocher, Mayor Watters

Nays: None

Absent: None

Abstain: Mr. Misertino

Mrs. Mora Dillon made a motion to approve the minutes from the Executive Session held on October 11, 2017, which was seconded by Mr. Hayes.

Ayes: Mr. Hayes, Mrs. Mora Dillon, Mrs. Kocher, Mayor Watters

Nays: None

Absent: None

Abstain: Mr. Misertino

### BILL LIST

Mrs. Mora Dillon made a motion to approve the bill list with the addendum, which was seconded by Mr. Hayes.

Ayes: Mr. Misertino, Mr. Hayes, Mrs. Mora Dillon, Mrs. Kocher, Mayor Watters

Nays: None

Absent: None

Abstain: None

### CLERKS REPORT:

Ms. Hrebenak stated that Warren County will be holding a transportation meeting on November 2, 2017 at 10 am and asked if any of the Township Committee will be attending the meeting.

Mayor Watters stated that he would like Chief Reilly to attend if possible and take Mr. Woods comments if he was not available to attend.

Chief Reilly stated that he will be available to attend.

Mr. Misertino made a motion to approve the Mayor signing the paperwork for the Section 125 paperwork for the FSA, which was seconded by Mr. Hayes.

Ayes: Mr. Misertino, Mr. Hayes, Mrs. Mora Dillon, Mrs. Kocher, Mayor Watters

Nays: None

Absent: None

Abstain: None

Mr. Hayes made a motion to approve the Raffle license for Tri County to be held on November 25, 2017 between the hours of 9 am and 5 pm, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Misertino, Mr. Hayes, Mrs. Mora Dillon, Mrs. Kocher, Mayor Watters

Nays: None

Absent: None

Abstain: None

#### FINANCE REPORT:

Mrs. Mollineaux stated that we are wrapping up third quarter and there is a meeting scheduled for next Wednesday with the Department Heads to go over where we are for 2017 and plan for 2018 Budget.

#### EMPLOYEES REPORTS:

Mrs. Fascenelli stated that the shredding event was held on Saturday, October 21, 75 residents participated and 5,710 lbs were shredded on site. Our next event is the Electronic Waste, Scrap Metal, Large Rigid Plastics and Mercury thermostats event on November 18 from 8:30a-12:30p.

Mrs. Fascenelli also mentioned Recycling Coordinators and SWAC members are invited to attend a meeting at the Wayne Dumont building with DEP concerning recycling issues in Warren County which I will be attending.

#### ENGINEERS REPORT:

Mr. DiSessa was not present, but his report was provided.

Mr. Misertino stated that he had questions for Mr. DiSessa in regards to the stop signs on Highland and Hillside.

Mr. Misertino made a motion to move forward with the safety improvement plan that was provided by Mr. DiSessa, which was seconded by Shirley Kocher.

Ayes: Mr. Misertino, Mr. Hayes, Mrs. Mora Dillon, Mrs. Kocher, Mayor Watters

Nays: None

Absent: None

Abstain: None

#### PUBLIC PORTION:

Maureen Flora, thanked the Township Committee for moving forward with the Stop signs on Highland and Hillside.

Charles Bode, 41 Elizabeth Avenue, NAACP asked why it took from July to now to say something in regards to what was said.

Marin Martin, spoke in reference to the Mayor's comments from the July meeting.

Scott Minter, 545 Mount Bethel Road, spoke in reference to the comments from the July meeting in reference to the Green Acres grant for the trail. Mr. Minter stated that Mayor Watters should resign from the position of Mayor and the Township Committee.

Rich Petteruti, 205 Snyder Road, stated that he believes that the words used were poorly chosen but not meant as a racial bias. Mr. Petteruti voiced his opinion of the Green Acres grant decision.

Mrs. Mora Dillon expressed that the published segments of audio do not represent the whole picture behind the majority decision to not accept the Green Acres grant.

Charles Bode stated that he listened to all of the recordings and is fully aware of the discussions that took place.

Donna Valente, 6 Saxton Lane, thanked Mayor Watters for apologizing. Mrs. Valente asked Mr. Misertino why this wasn't brought out sooner if this was so offensive.

Mrs. Kocher stated that of all Committee members she was the one whom was most offended since her spouse is a Alaskan American native of the Aleut Tribe.

Mr. Misertino commented that he posts all audio as a public service but for the last six months had been very busy on a work project.

Elizabeth Griggs, 545 Mount Bethel Road, asked if the Clerk could get a microphone and if we could get the microphones working. Ms. Griggs spoke to the Township Committee about the mentality of the Township. Some other issues are work has been done on the roads and the basketball courts, and can we get the lines on the roads for safety.

Patrick Wood, CPWM stated that the DPW has been working on the basketball courts prior to the weather closing in on us. The weather has now closed in on us and we will be working on it again in the Spring.

Ms. Griggs asked how much has been spent on the basketball courts thus far and how many man hours have been spent by the DPW workers.

Mr. Wood stated that around \$6,000 has been spent and the DPW workers were there for 4 days and it was 5 guys with himself.

Ms. Griggs asked Mr. Wood why finishing the basketball courts would have to wait until Spring.

Mr. Wood explained that the product needs dry and warm weather to cure, which because of the cold at night it's not able to.

Ms. Griggs inquired about re-painting the lines on Mt. Bethel Road.

Mr. Wood replied he's waiting for vendor quotes.

Ms. Griggs mentioned the paving of Warren Cary Road was not on the list of roads to be paved.

Mr. Wood explained that Warren Cary Road had been oiled and chipped and during the first storm last year it got torn up so it was paved to prevent further deterioration.

Ms. Griggs asked if the Salt shed is fixed yet.

Mr. Wood stated that within the salt shed a trough was milled to redirect the water out of the structure.

Ms. Campbell, Esq. interjected that Mr. Wood does not have to answer all of these questions as it is the public comment portion of the meeting.

Ms. Griggs asked if anyone knows anything about the millings that were dumped across from the Rockport Church.

Mayor Watters stated he only knows that Tilcon had been doing the paving.

Mrs. Kocher made a motion to put a resolution of censure for Mayor Watters, which was seconded by Mr. Misertino.

Mr. Hayes asked for an explanation at which time the resolution was passed to him for review.

Mr. Misertino asked that Ms. Campbell read the resolution for the edification of the Township Committee members and the members of the public in attendance.

Ms. Campbell read the Resolution aloud.

Ayes: Mr. Misertino, Mrs. Kocher

Nays: Mr. Hayes, Mrs. Mora Dillon, Mayor Watters

Absent: None

Abstain: None

RESOLUTION:

**RESOLUTION # 2017-118  
TOWNSHIP OF MANSFIELD  
WARREN COUNTY, STATE OF NEW JERSEY  
CANCELLATION OF TAXES**

**WHEREAS**, the following properties have changed to a non-taxable status;

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Mansfield this 25th day October 2017 that the Tax Collector and Township Finance Office are hereby authorized to cancel the following taxes:

Mansfield Twp	Block 501, Lot 23.01	\$483.19	2016
Foreclosed property			
Route 31 North			

Mr. Hayes made a motion to approve the passage of Resolution 2017-118, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Misertino, Mr. Hayes, Mrs. Mora Dillon, Mrs. Kocher, Mayor Watters

Nays: None

Absent: None

Abstain: None

RESOLUTION # 2017 –119  
REFUND OF A LAND USE BOARD APPLICATION

TOWNSHIP OF MANSFIELD  
WARREN COUNTY, STATE OF NEW JERSEY

**WHEREAS**, Mr. Harry Paas issued a check dated 5/18/17 for a bulk variance application with the Township of Mansfield, County of Warren,

**WHEREAS**, there remains a balance of \$ 537.50 in the escrow account,

**WHEREAS**, the Land Use Board Attorney and Engineer have determined that the escrow balance can be refunded,

**NOW THEREFORE BE IT RESOLVED**, that the Township Finance Office be authorized to refund the amount of \$ 537.50 to Mr. Harry Paas.

Mrs. Mora Dillon made a motion to approve the passage of Resolution 2017-119, which was seconded by Mr. Hayes.

Ayes: Mr. Misertino, Mr. Hayes, Mrs. Mora Dillon, Mrs. Kocher, Mayor Watters

Nays: None

Absent: None

Abstain: None

**RESOLUTION # 2017-120**  
**LIEN REDEMPTION**

TOWNSHIP OF MANSFIELD  
WARREN COUNTY, STATE OF NEW JERSEY

**WHEREAS**, the Tax Collector of the Township of Mansfield has advised the Committee that the following property has been redeemed and the money due thereon paid to the Township of Mansfield Tax Collector;

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Mansfield this 25th day of October 2017, that payment is to be made to the certificate holder as noted:

<b>Block</b>	<b>Lot</b>	<b>Address</b>	<b>Lienholder</b>	<b>Cert#</b>	<b>TOTAL REFUNDED</b>	
2811	20	1464 Route 57	US BankCust	15-00042	\$ 19,936.04	Lien
			PC5 Sterling National		\$ 1,100.00	Premium
			Tax Lien Service Group			
			50 S 16 <sup>th</sup> St Suite 2050			
			Philadelphia, PA 19102			

Mrs. Mora Dillon made a motion to approve the passage of Resolution 2017-120, which was seconded by Mr. Misertino.

Ayes: Mr. Misertino, Mr. Hayes, Mrs. Mora Dillon, Mrs. Kocher, Mayor Watters

Nays: None

Absent: None

Abstain: None

#### 2017-121

RESOLUTION AUTHORIZING THE TOWNSHIP OF MANSFIELD TO FILE AN APPLICATION TO PARTICIPATE IN THE FEDERAL 1033 PROGRAM TO ENABLE SAID DEPARTMENT TO REQUEST AND ACQUIRE EXCESS DEPARTMENT OF DEFENSE EQUIPMENT

WHEREAS, the United States Congress authorized the 1033 Program to make use of excess US Department of Defense equipment by making such equipment available to local, county and state levels of government; and

WHEREAS, under the 1033 Program, law enforcement agencies may request resources, and the Defense Logistics Agency (DLA) mandates that all acquired 1033 equipment be under the control of the requesting law enforcement agency who requests it; and

WHEREAS, Senate Bill No.2364-2 (a) recently enacted by the New Jersey Legislature as P.L. 2015 chapter 23, requires that all local or county law enforcement agencies wanting to apply to the 1033 Program, be approved by Resolution by a majority of the full membership of the governing body of that jurisdiction and the said DLA requires that applications for Program participation be submitted every 365 days; and

WHEREAS, the said Mayor and Committee is aware that certain equipment available in the RTD system will not be approved by the New Jersey State Coordinator for the Program; these include bayonets, combat gloves and simulated rocket launchers; and

WHEREAS, the Township of Mansfield Mayor and Committee at its October 25, 2017 meeting reviewed this matter and is recommending it to the Township of Mansfield Police Department; and

NOW THEREFORE BE IT RESOLVED by the Mayor and Committee of the Township of Mansfield that it hereby authorizes the Township of Mansfield Police Department to participate in the Federal 1033 Program administered through the Law Enforcement Support Office and that said Department may acquire any DEMILA A (non controlled) property in the RTD system without restriction; and

BE IT FURTHER RESOLVED that said Mayor and Committee finds that the Township of Mansfield Police Department may request and acquire certain DEMIL B through H (controlled) property in the RTD system and it has been determined that based on the needs of this venue, law enforcement may not acquire armored tactical vehicles or marine vessels over 28' without specific approval of the governing body; and

BE IT FURTHER RESOLVED that any special application for weapons, aircraft, or MRAP's must be authorized by the governing body prior to the submission of the application and that these resources are not available in the RTD system and require special application; and

BE IT FURTHER RESOLVED that said Mayor and Committee of the Township of Mansfield further requires that the designated LESO Point of Contact for this venue submit a monthly report regarding acquired 1033 Program property and in the event that any property had been obtained contrary to the intent of the P.L. 2015 c. 23, the State Coordinator shall be contacted and equipment shall be transferred or returned via the federal inventory database system (FEPMIS); and

BE IT FURTHER RESOLVED that said Board recognizes that the acquisition of the 1033 Program property is time sensitive as resources are allocated to all State based on time stamp of requisition and in the event that a LESO Point of Contact requests an item in good faith and said item is determined to be contrary to the intent of this resolution, the LESO Point of Contact may cancel the request prior to the acquisition of the property, without being in violation of P.L. 2015 c. 23.

Mr. Hayes made a motion to approve the passage of Resolution 2017-121, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Misertino, Mr. Hayes, Mrs. Mora Dillon, Mrs. Kocher, Mayor Watters

Nays: None

Absent: None

Abstain: None

#### **RESOLUTION # 2017 –122**

#### **Resolution of Support from Local Governing Body Authorizing the Sustainable Jersey Grant Application**

#### **TOWNSHIP OF MANSFIELD WARREN COUNTY, STATE OF NEW JERSEY**

**WHEREAS**, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

**WHEREAS**, The Township of Mansfield strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

**WHEREAS**, The Township of Mansfield is participating in the Sustainable Jersey Program: and

**WHEREAS**, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called the Sustainable Jersey Small Grants Program;

**THEREFORE**, the Mansfield Township Committee of the Township of Mansfield has determined that Mansfield Township should apply for the aforementioned Grant.

**THEREFORE, BE IT RESOLVED**, that the Mansfield Township Committee of the Township of Mansfield, State of New Jersey, authorize the submission of the aforementioned Sustainable Jersey Grant.

Mr. Hayes made a motion to approve the passage of Resolution 2017-122, which was seconded by Mr. Misertino.

Ayes: Mr. Misertino, Mr. Hayes, Mrs. Mora Dillon, Mrs. Kocher, Mayor Watters

Nays: None

Absent: None

Abstain: None

**ORDINANCE:**

1<sup>st</sup> Reading:

**CA2017-01**

**AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD, WARREN COUNTY, NEW JERSEY  
APPROPRIATING \$174,667.00 FOR THE COMPLETION OF PHASE II AT THE MT. BETHEL CHURCH**

**WHEREAS**, there is a need to complete Phase II at the Mt. Bethel Church;

**BE IT ORDAINED**, by the Township Committee of the Township of Mansfield, Warren County, New Jersey, as follows:

- The amount of \$43,667.00 is hereby appropriated from the Open Space Trust Fund and \$131,000.00 is hereby appropriated from the Warren County Open Space, Recreation, Farmland and Historic Preservation Trust Fund.
- There is no debt incurred by this Ordinance.
- This ordinance shall take effect immediately after final passage, approval, publication as provided by law.

Mr. Hayes made a motion to introduce Capital Ordinance 2017-01 and requested that the public hearing be advertised to be held on November 8, 2017 at 8pm, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mrs. Mora Dillon, Mrs. Kocher, Mayor Watters

Nays: Mr. Misertino

Absent: None

Abstain: None

2<sup>nd</sup> Reading:

Mayor Watters opened the floor for Public Comment; seeing there were none the public comment on the ordinance was closed.



## **ORDINANCE 2017-14**

AN ORDINANCE TO AMEND SECTION 360-23 "MANDATORY DEVELOPMENT FEES" OF THE CODE OF THE TOWNSHIP OF MANSFIELD, WARREN COUNTY, NEW JERSEY

BE IT ORDAINED BY THE MAYOR AND TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MANSFIELD:

**Section 1.** The following sections of the Code of the Township of Mansfield are hereby amended to read as follows:

**"360-23 B (1)"**

Within Mansfield Township, developers shall pay a development fee of 1.5% of the equalized assessed value of any eligible residential activity pursuant to Section 5 of this ordinance.

**"360-23 C (1)"**

Within Mansfield Township, developers shall pay a development fee of 2.5% of the equalized value of any eligible nonresidential activity pursuant to Section D of this section.

**Section 2.** This Ordinance shall take effect immediately upon final publication as provided by law.

**Section 3.** All remaining portions of Section 360-23 shall remain in full force and effect.

Mr. Hayes made a motion to approve the passage of Ordinance 2017-14 and requested that the results be advertised, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Misertino, Mr. Hayes, Mrs. Mora Dillon, Mrs. Kocher, Mayor Watters

Nays: None

Absent: None

Abstain: None

Mayor Watters opened the floor for Public Comment; seeing there were none the public comment on the ordinance was closed.

2017-15

TOWNSHIP OF MANSFIELD

AN ORDINANCE AUTHORIZING THE SALE OF PROPERTY IN ACCORDANCE WITH THE NEW JERSEY LOCAL LANDS AND BUILDINGS LAW, N.J.S.A. 40A:12-1, et seq.

WHEREAS, N.J.S.A. 40A:12-13(b)(1) allows a municipality to sell, at a private sale, personal property of

the Township to another municipality.

WHEREAS, the Township's K9 Handler has resigned from the Township and there is no other available trained Officer's to handle a K9; and,

WHEREAS, the Township of Mansfield Committee desires to sell K9 officer Jax; and,

NOW, THEREFORE, BE IT ORDAINED by the Township of Mansfield Committee, that the Township is hereby authorized to sell the Property for the sum of \$15,000 in accordance with the terms and conditions contained in the contract between the Township of Mansfield and Flemington Borough.

BE IT FURTHER ORDAINED, that the Mayor and Township Clerk are authorized to sign any documents in order to complete the conveyance and such forms as approved by the Township Attorney.

Severability. If any provision of this ordinance or the application of this ordinance to any person or circumstances is held invalid, the remainder of this ordinance shall not be affected and shall remain in full force and effect.

Repealer. All ordinances or parts of ordinances or resolutions inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

Effective Date. This ordinance shall take effect immediately; however it shall be void in the event the parties do not execute a formal purchase contract.

Mrs. Kocher made a motion to approve the passage of Ordinance 2017-15 and requested that the results be advertised, which was seconded by Mr. Hayes.

Ayes: Mr. Misertino, Mr. Hayes, Mrs. Mora Dillon, Mrs. Kocher, Mayor Watters

Nays: None

Absent: None

Abstain: None

#### EXECUTIVE SESSION:

Ms. Campbell, Esq. stated that during Executive Session two personnel matters, a Shared Service matter, Affordable Housing litigation and generator bid will be discussed and action may potentially be taken.

Mr. Misertino left the meeting at 8:20pm.

Mrs. Kocher left the meeting at 8:21pm.

Mr. Hayes made a motion to enter into Executive Session at 8:22pm, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: Mr. Misertino, Mrs. Kocher

Abstain: None

Mr. Hayes made a motion to return to Regular Session at 9:28pm, which was seconded by Mrs. Mora Dillon..

Ayes: Mr. Hayes, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: Mr. Misertino, Mrs. Kocher  
Abstain: None

Ms. Campbell, Esq. stated that during Executive Session the Committee discussed two personnel matters, a contractual matter regarding Shared Services with Washington Township, litigation matter regarding Affordable Housing, contractual matter regarding Generator Bids and contractual matter regarding a street sweeper lease, copies of these minutes will be available as soon as the Committee feels they are no longer a harm to the public interest.

Mr. Hayes made a motion to hire Frank Pawlowski starting November 13, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mrs. Mora Dillon, Mayor Watters  
Nays: None  
Absent: Mr. Misertino, Mrs. Kocher  
Abstain: None

Mr. Hayes made a motion to approve lease with Timmerman for a street sweeper, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mrs. Mora Dillon, Mayor Watters  
Nays: None  
Absent: Mr. Misertino, Mrs. Kocher  
Abstain: None

Mr. Hayes made a motion to approve the contract with the Chief of Police, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mrs. Mora Dillon, Mayor Watters  
Nays: None  
Absent: Mr. Misertino, Mrs. Kocher  
Abstain: None

#### COMMITTEE PERSON COMMENTS:

Mayor Watters asked Mr. Wood if there is a time frame for the sidewalk repairs.

Mr. Wood stated that he is trying to work it around the roof replacement.

Mayor Watters inquired about the dairy demo.

Ms. Hrebenak stated she spoke with Mr. Margolis who will look at the creamery next week to provide the paperwork needed for Historic Preservation.

Mrs. Mora Dillon made a motion to adjourn at 9:31pm.